

MEMO ENDORSED



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN  
ATTORNEY GENERAL

DIVISION OF STATE COUNSEL  
LITIGATION BUREAU

Writers Direct Dial: (212) 416-6046  
December 6, 2017

The application is ☒ granted.  
☐ denied.

**BY FACSIMILE**

Honorable Nelson S. Román  
United States District Judge  
Southern District of New York  
300 Quarropas St.  
White Plains, NY 10601-4150

Nelson S. Román, U.S.D.J.  
Dated: Dec 8, 2017  
White Plains, New York 10601

Re: Arminio v. Holder, 15-cv-5812 (NSR)(PED)

Dear Judge Román:

This Office represents New York State Trooper Lysonia Holder, the sole defendant in the above-referenced case. I write with Plaintiff's consent to respectfully request an extension to the Parties' summary judgment motion schedule as follows:

Defendant's Motion for Summary Judgment due January 19, 2018;  
Plaintiff's Opposition due March 2, 2018; and  
Defendant's Reply due March 17, 2018.<sup>1</sup>

The grounds for this request are that undersigned counsel requires additional time to complete the motion while also responding to impending deadlines in several other cases, including depositions that require travel throughout the state, as far northwest as the Canadian border, and a multi-day arbitration. This is the first such request for an extension to the motion schedule. Plaintiff's counsel consented to the request.

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 12/8/2017

Respectfully submitted,

Colleen K. Faherty  
Assistant Attorney General

cc: James Lenihan, Counsel via USPS

<sup>1</sup> The current motion schedule is as follows:

Defendant's Motion for Summary Judgment due December 20, 2017; Plaintiff's Opposition due January 31, 2018; and Defendant's Reply due February 15, 2018. See ECF minute entry dated Nov. 8, 2017.

**CERTIFICATE OF SERVICE**

COLLEEN K. FAHERTY, an attorney admitted to practice in the courts of the State of New York, certifies as follows:

I am an attorney licensed to practice in the State of New York, and am an Assistant Attorney General in the office of Eric T. Schneiderman, Attorney General of the State of New York. I am over 18 years of age and not a party to this action.

On December 6, 2017, I served copies of the following papers:

1. Letter Request Seeking an Extension to the Parties Motion Schedule for Summary Judgment

on the following person(s) at the following address he provided to the Court that is currently reflected in the docket:

James Lenihan  
Lenihan & Associates, LLC  
235 Main Street  
White Plains, New York 10601

by depositing copies of the papers enclosed in properly addressed wrappers with proper postage affixed into the custody of the U.S Mail.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 6, 2017  
New York, New York

/s/  
Colleen K. Faherty, Assistant Attorney General



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL  
ERIC T. SCHNEIDERMAN

# FACSIMILE TRANSMISSION

DATE December 6, 2017 NUMBER OF PAGES 3  
(INCLUDING THIS PAGE)

TO Judge Nelson S. Roman

FAX NO. (914 ) 390-4179

FROM Colleen K. Faherty, AAG

**REMARKS**

Please see the attached letter, requesting an extension of time for the Parties to submit the motion for summary judgment in the matter of Arminio v. Holder, 15-cv-5812.

Thank you for your consideration.

Kind regards,  
AAG Colleen K. Faherty

**IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CONTACT**

NAME Colleen K. Faherty, AAG OFFICE Litigation, NYC -- Room 24A47  
TELEPHONE NO. (212) 416-6046 FAX NO. (212) 416-6009 / 6075

## CONFIDENTIAL

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